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Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 CIAE-00 DODE-00 PM-04 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
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----------020338 094923 /75-61
R 011630Z MAR 77
FM AMEMBASSY SANTO DOMINGO
TO SECSTATE WASHDC 9827
INFO AMEMBASSY PORT AU PRINCE

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E.O. 11652: N/A
TAGS: PINT, SHUM, DR
SUBJECT: INDEPENDENCE DAY SPEECH: HUMAN RIGHTS

REF: SANTO DOMINGO 948

1. IN HIS INDPENDENCE DAY SPEECH (REFTEL), PRESIDENT BALAGUER DEFENDED HIS COUNTRY'S RECORD IN THE FIELD OF HUMAN RIGHTS AFTER NOTING ALLEGATIONS BOTH DOMESTICALLY AND ABROAD THAT HUMAN RIGHTS ARE ONLY PARTIALLY RESPECTED IN THE DOMINICAN REPUBLIC.

2. IN REFERRING TO THE INSTITUTION OF HABEAS CORPUS AND ALLEGED ABUSES, BALAGUER ADMITTED THAT THERE HAD BEEN FOUR OR FIVE CASES IN WHICH THE RIGHT OF HABEAUS CORPUS WAS NOT OBSERVED, AND HE NOTED THE SYMPATHY AMONG MILITARY AND CONSERVATIVE SECTORS IN THE COUNTRY FOR A CERTAIN DOUBLE STANDARD WITH RESPECT TO HABEAS CORPUS WHEN DEALING WITH EXTREME THREATS TO THE NATIONAL SECURITY. HOWEVER, HE CALLED THIS ATTITUDE "OBSOLETE AND RATHER ARBITRARY" AND AFFIRMED THAT AT NO TIME HAD THE HIGHEST LEVELS OF HIS ADMINISTRATION INTERFERED WITH OR PRESSURED THE JUDICIARY WITH RESPECT TO THE CARRYING OUT OF LEGAL DUE PROCESS BOTH FOR COMMON DELINQUENTS AND SO-CALLED POLITICAL PRISONERS.

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3. CONCERNING PRISON CONDITIONS, WHICH HE ADMITTED HAD BEEN HISTORICALLY BAD, BALAGUER FOCUSED ON RECENT IMPROVEMENTS BASED ON THE STUDY OF AN OFFICIAL HIGH-LEVEL PRISON REFORM COMMISSION. HE CITED THE CONSTRUCTION OF THREE NEW PRISONS IN THE COUNTRY AND THE PROJECTED CONSTRUCTION OF A MODEL REGIONAL PRISON IN SANTIAGO, THE NATION'S SECOND LARGEST CITY, THE PLANS FOR WHICH HAVE BEEN SUBMITTED TO THE INTERNATIONAL RED CROSS.

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4. IN THE EXTEMPORANEOUS PORTION OF HIS SPEECH, BALAGUER MADE SOME BRIEF REMARKS CRITICAL OF EXCESSIVE COMMERCIALIZATION IN THE DOMINICAN PRESS. THE REMARKS IMMEDIATELY DREW REACTIONS FROM LEADERS OF THE COUNTRY'S LIVELY FOURTH ESTATE. THE OPINION OF SEVERAL SERIOUS NEWSPAPER DIRECTORS, HOWEVER, WAS THAT THE PRESIDENT HAD COMMITTED "AN IMPROVISATIONAL EXCESS", AND HAD NOT MEANT TO DISPARAGE THE NATION'S PRESS.

5. COMMENT: THE PRESIDENT'S COMMENTS ON HUMAN RIGHTS IN HIS IMPORTANT ANNUAL MESSAGE DEMONSTRATE THAT THE RECENT AMERICAN POLICY EMPHASIS IN THE HUMAN RIGHTS FIELD HAS NOT BEEN LOST ON BALAGUER WHO HAS TRADITIONALLY BEEN VERY SENSITIVE TO U.S. POLICY CONCERNS. BALAGUER WAS WILLING TO ADMIT SOME WEAKNESSES IN THIS AREA BUT MADE IT CLEAR THAT THEY ARE NOT OFFICIALLY CONDONED AND ARE BEING CORRECTED. THE HUMAN RIGHTS REFERECES IN THE SPEECH, WHICH DREW ATTENTION LOCALLY, CAME ON DAY AFTER THE ANNOUNCEMENT OF A PARDON FOR SIXTY-SIX COMMON CRIMINALS FROM THE NATIONAL PRISONS. PRISONER RELEASES DURING INDEPENDENCE DAY OBSERVANCES HAVE BECOME A TRADITION IN RECENT YEARS.
END COMMENT.
HURWITCH

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Sent Date: 01-Mar-1977 12:00:00 am
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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